

### **REMARKS/ARGUMENTS**

The Office Action mailed March 19, 2007 rejected claims 1-17 under 35 U.S.C. § 103. Claims 1, 12, 16 and 17 have been amended. Support for these amendments may be found in Applicant's Specification on page 1, lines 5-14, page 2 lines 3-5, page 4 lines 16-17, page 5, lines 1-4, page 10, lines 16-18, page 11, lines 1, 5-7, 9-10, and page 12 lines 18-21. Reconsideration is respectfully requested in view of the above amendments to the claims and the following remarks.

#### **I. Rejection of Claims 1-17 Under 35 U.S.C. § 103(a)**

The Office Action rejected claims 1-17 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 2003/0041238 to French et al. (hereinafter, "French") in view of U.S. Patent Application No. 2005/0105129 to Takahashi (hereinafter, "Takahashi"). This rejection is respectfully traversed.

The factual inquiries that are relevant in the determination of obviousness are determining the scope and contents of the prior art, ascertaining the differences between the prior art and the claims in issue, resolving the level of ordinary skill in the art, and evaluating evidence of secondary consideration. KSR Int'l Co. v. Teleflex Inc., 550 U.S. \_\_\_, 2007 U.S. LEXIS 4745, at \*\*4-5 (2007) (citing Graham v. John Deere Co. of Kansas City, 383 U.S. 1, 17-18 (1966)). To establish a *prima facie* case of obviousness, the prior art references "must teach or suggest all the claim limitations." M.P.E.P. § 2142. Moreover, the analysis in support of an obviousness rejection "should be made explicit." KSR, 2007 U.S. LEXIS 4745, at \*\*37. "[R]jections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." Id. (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)).

Applicant respectfully submits that the claims at issue are patentably distinct from the cited references. The cited references do not teach or suggest all of the limitations in these claims.

Claim 1, as amended, recites "automatically discovering MFPs by a printer administration utility," "automatically discovering printer drivers by the printer administration utility, wherein the

automatic discovering of printer drivers includes the discovery of updated drivers,” “automatically building, by the printer administration utility, a printer driver database,” “automatically analyzing the MFP database and the driver database by the printer administration utility to determine allowable MFP/printer driver combinations,” “automatically building a relationship database by the printer administration utility,” “wherein an allowable combination is a printer driver and at least one compatible MFP,” and “whereby the addition of either a new driver or a new MFP and automatic association is accomplished without manual administration by a user.” French, alone or in combination with Takahashi, does not teach or suggest these claim elements.

The Office Action asserts that French discloses “discovering printer drivers.” Office Action, page 2. In support of this assertion, the Office Action cited two portions of French. The first portion of French states:

In general, the objects require some type of processing, input/output, or storage capability from the hardware resources. The objects may execute on the same device to which the hardware resource is connected, or the objects may be physically dispersed throughout a distributed computing environment. The objects request access to the hardware resource in a variety of manners, e.g. operating system calls to device drivers. Hardware resources are generally available on a first-come, first-serve basis in conjunction with some type of arbitration scheme to ensure that the requests for resources are fairly handled. In some cases, priority may be given to certain requesters, but in most implementations, all requests are eventually processed.

French, paragraph [0064]. Nothing in this cited paragraph discloses anything about “discovering printer drivers,” as recited in claim 1. In fact, nothing in this cited portion discloses “discovering” any type of driver, as recited in claim 1. Rather, this portion merely discloses that “objects request access to the hardware resource in a variety of manners, e.g. operating system calls to device drivers.” However, the fact that the operating system makes calls to the device drivers does not disclose “discovering printer drivers,” as recited in claim 1.

The second cited portion of French states:

With reference now to FIG. 2E, a diagram depicts the logical relationships between components within a system management framework that includes two endpoints and a gateway. FIG. 2E shows more detail of the

relationship between components at an endpoint. Network 250 includes gateway 251 and endpoints 252 and 253, which contain similar components, as indicated by the similar reference numerals used in the figure. An endpoint may support a set of applications 254 that use services provided by the distributed kernel services 255, which may rely upon a set of platform-specific operating system resources 256. Operating system resources may include TCP/IP-type resources, SNMP-type resources, and other types of resources. For example, a subset of TCP/IP-type resources may be a line printer (LPR) resource that allows an endpoint to receive print jobs from other endpoints. Applications 254 may also provide self-defined sets of resources that are accessible to other endpoints. Network device drivers 257 send and receive data through NIC hardware 258 to support communication at the endpoint.

French, paragraph [0077]. Like the previously cited portion, nothing in this second cited portion discloses anything about “discovering printer drivers,” as recited in claim 1. Rather, this portion merely discloses the use of “a line printer (LPR) resource” and “[n]etwork device drivers 257.”

However, nothing in this cited portion discloses that the “[n]etwork device drivers 257” or the “line printer (LPR) resource[s]” are “discover[ed],” as recited in claim 1. Likewise, nothing in this cited portion discloses that the network device drivers 257 or the line printer (LPR) resource are a “printer driver,” as recited in claim 1. Rather, the network device driver is just that, a network device driver and the line printer (LPR) resource merely “allows an endpoint to receive print jobs from other endpoints.” Furthermore, the Office Action has not cited, nor can Applicant find, any portion of French that discloses “discovering printer drivers,” as recited in claim 1.

The Office Action states that “French does not explicitly teach ‘wherein the relationship database...a first printer driver record...record are associated as allowable combination.’” Office Action, Page 2. The Office Action thus concedes that French does not teach or suggest these claim elements of claim 1.

The Office Action asserts that Takahashi teaches “wherein the relationship database...a first printer driver record...record are associated as allowable combination.” Office Action, page 2. In support of this assertion, the Office Action cited two portions of Takahashi. The addition of Takahashi does not overcome the deficiencies of French. The first cited portion of Takahashi states:

In a printer driver column 611, a printer driver used in printing is selected. In this specific example, MFP 102 is selected as the printer driver. As required, other properties such as a timeout value are set. Thereafter, if an OK button 621 is pressed, the property setting screen is closed. If a Cancel button 622 is pressed, settings are canceled. If an Apply button 623 is pressed, settings are applied.

Takahashi, paragraph [219]. Nothing in this cited portion discloses anything about “automatically analyzing the MFP database and the driver database by the printer administration utility to determine allowable MFP/printer driver combinations,” “automatically building a relationship database by the printer administration utility,” “wherein an allowable combination is a printer driver and at least one compatible MFP,” and “whereby the addition of either a new driver or a new MFP and automatic association is accomplished without manual administration by a user” as recited in amended claim 1.

Instead, this first portion of Takahashi states that “a printer driver used in printing is selected... MFP 102 is selected as the printer driver.” Although the printer driver and the selected MFP share a common name in Figure 11A as described by Takahashi, paragraph [219], a shared name does not imply that the printer driver and the MFP are associated with each other nor does it imply that the printer driver and the MFP are associated as an allowable combination. Thus, this section of Takahashi does not teach or suggest that the MFP record and the printer driver record are associated as an allowable combination. Further, this section of Takahashi does not teach or suggest any relationship database comprising MFPs and printer drivers. Instead, Takahashi simply discloses that when choosing an MFP, you can also select a printer driver.

The second cited section of Takahashi states:

The MIB database includes information indicating the type of a finisher connected to each MFP such as the MFP 124 or 125, an occurrence of an error or a paper jam, a status (in printing process or in an idle state) of each MFP, capabilities of each MFP, settings of the network, job history, and status of use. The print manager acquires information indicating statuses [sic] of MFPs and other apparatuses from the MIB database and updates the status HTML file according to the acquired information such that clients can access the information indicating the current status of each apparatus.

Takahashi, paragraph [408]. This second cited portion of Takahashi does not disclose anything about “automatically analyzing the MFP database and the driver database by the printer administration utility to determine allowable MFP/printer driver combinations,” “automatically building a relationship database by the printer administration utility,” “wherein an allowable combination is a printer driver and at least one compatible MFP,” and “whereby the addition of either a new driver or a new MFP and automatic association is accomplished without manual administration by a user” as recited in amended claim 1.

Nothing in paragraph [408] indicates that printer driver records and MFP records are associated with each other. In fact, this cited paragraph of Takahashi does not mention printer drivers. Instead, the cited section discloses an MIB database that includes information concerning the MFP such as the status, the capabilities, the settings, and the job history. Takahashi neither teaches nor suggests that the information in the MIB database includes printer driver records and MFPs associated as allowable combinations, as is suggested by the Office Action.

In view of the foregoing, Applicant respectfully submits that claim 1 is patentably distinct from the cited references. Accordingly, Applicant respectfully requests that the rejection of claim 1 be withdrawn.

The Office Action rejected claims 2-11 under 35 U.S.C. § 103(a) based on French in view of Takahashi. This rejection is respectfully traversed. It is well settled that if an independent claim is patentable over the cited art, then all claims depending from the independent claim are similarly patentable. M.P.E.P. § 2143.03 (“If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious”). In this case claims 2-11 depend either directly or indirectly from claim 1. As noted above, claim 1 is patentable and nonobvious over French in view of Takahashi. Accordingly, as the independent claim is patentable over this reference, dependent claims 2-11 (which depend from independent claim 1) are similarly allowable. Favorable consideration and withdrawal of this rejection is respectfully requested.

The Office Action rejected claims 12-15 stating that “these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-4 and 8.” Office Action, page 4.

Applicant respectfully submits that though claims 1 and 12 include some limitations that are similar, claim 12 includes additional limitations. For example, claim 12 recites “joining the MFP database and the printer driver database in a many-to-many relationship.” Claim 1 does not recite this limitation, as recited in claim 12. Furthermore, the Office Action has not cited, nor can Applicant find, any portion of French that discloses joining databases, as recited in claim 12. For the same reasons as given above in relation to claim 1, as well as the limitations of claim 12 not taught or suggested, Applicant respectfully submits that claim 12 is patentably distinct from French in view of Takahashi. Accordingly, Applicant respectfully requests that the rejection of claim 12 be withdrawn.

Claims 13-15 depend directly from claim 12. Accordingly, Applicant respectfully requests that the rejection of claims 13-15 be withdrawn for at least the same reasons as those presented above in connection with claim 12.

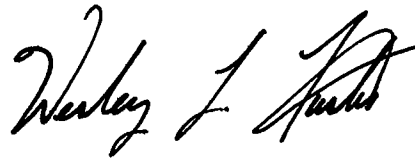
Some elements of claims 16 and 17 are similar in nature to the claim elements of claim 1 provided above. As such, Applicant respectfully submits that claims 16 and 17 are patentably distinct from the cited references for at least the same reasons as those presented above in connection with claim 1. Accordingly, Applicant respectfully requests that the rejection of claims 16 and 17 be withdrawn because the cited references do not teach or suggest all of the claim elements of claims 16 and 17.

Appl. No. 10/804,653  
Amdt. dated June 19, 2007  
Reply to Office Action of March 19, 2007

## **II. Conclusion**

Applicant respectfully asserts that all pending claims are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wesley L. Austin". The signature is fluid and cursive, with the first name "Wesley" being the most prominent.

/Wesley L. Austin/

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